

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

MAR 25 2008

U. S. DISTRICT COURT
W. DIST. OF N. C.

In re:

RFS ECUSTA INC. and
RFS US INC.,

Debtors.

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: Chapter 7

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: Bankr. Ct. Case Nos.

:

: 03-10358 (GRH)

:

: and 03-10360 (GRH)

:

: (Jointly Administered)

:

: **Dist. Ct. Case No.**

:

: **3:06-cv-386-MU**

X

LANGDON M. COOPER,
as Chapter 7 Trustee for the estates of
RFS ECUSTA INC. AND RFS US INC.,

Plaintiff,

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: **Dist. Ct. Case No.**

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: **3:05-cv-214-MU**

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: Bankr. Ct. Adv. Pro. No.

:

: 04-3233

:

v.

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NATHU RAM PURI, UPENDRA K. PURI,
AJAY BADHWAR, STEVEN H. SMITH,
PURICO (IOM) LIMITED, PURICO US, INC.,
ECUSTA FIBERS, LTD., ECUSTA AUSTRALIA PTY.
LTD., PURICO GMBH, ENVIRONMENTAL
DESIGN CONSULTANCY, P.H.
GLATFELTER COMPANY and
MOLLANVICK, INC.,

Defendants.

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LANGDON M. COOPER,
as Chapter 7 Trustee for the estates of
RFS ECUSTA INC. AND RFS US INC.,

Plaintiff,

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: **Dist. Ct. Case No.**

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: **3:05-cv-215-MU**

:

: Bankr. Ct. Adv. Pro. No.

:

: 03-3352

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v.

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NATHU RAM PURI, PURICO (IOM)
LIMITED, ANCEFAN, LTD., and TOTAL
ACCEPTANCES LIMITED,

Defendants.

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LANGDON M. COOPER,
as Chapter 7 Trustee for the estates of
RFS ECUSTA INC. and RFS US INC.,

Plaintiff,

v.

P.H. GLATFELTER COMPANY, NORTH
CAROLINA INDUSTRIAL COMMISSION,
NORTH CAROLINA DEPARTMENT OF
INSURANCE, NORTH CAROLINA SELF-
INSURANCE GUARANTY ASSOCIATION,
JAMES GOODSON, WACHOVIA BANK, N.A.,
JOHN DOE 1 through unknown and JANE DOE 1 through
unknown,

Defendants.

LANGDON M. COOPER,
as Chapter 7 Trustee for the estates of
RFS ECUSTA INC. and RFS US INC.,

Plaintiff,

v.

P.H. GLATFELTER COMPANY;
MOLLANVICK, INC.; JEMSITE
DEVELOPMENT, LLC; STATE
EMPLOYEES CREDIT UNION;
WACHOVIA BANK, N.A.; TRSTE, INC. and
ALLFIRST TRUST COMPANY, N.A. n/k/a
M&T BANK,

Defendants.

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Dist. Ct. Case No.
3:05-cv-216-MU

Bankr. Ct. Adv. Pro. No.
04-3069

Dist. Ct. Case No.
3:05-cv-213-MU

Bankr. Ct. Adv. Pro. No.
04-3232

P.H. GLATFELTER COMPANY and
MOLLANVICK, INC.,

Counterclaim and Third Party Plaintiff,

v.

LANGDON M. COOPER, as Chapter 7 Trustee
for the Estates of RFS ECUSTA INC. and
RFS US INC., NATHU RAM PURI, UPENDRA K.
PURI, PURICO (IOM) LIMITED, PURICO US,
INC., RF & SON, INC., PURICO GMBH, and
ALLFIRST TRUST COMPANY, N.A. n/k/a
M&T BANK Corporation as escrow agent,

Counterclaim and Third Party Defendants.

LANGDON M. COOPER,
as Chapter 7 Trustee for the estates of
RFS ECUSTA INC. and RFS US INC.,

Plaintiff,

v.

DECHERT LLP,

Defendant.

LANGDON M. COOPER,
as Chapter 7 Trustee for the estates of
RFS ECUSTA INC. and RFS US INC.,
NATHU RAM PURI, UPENDRA K. PURI,
AJAY BADHWAR and STEVEN H. SMITH,

Plaintiffs,

v.

CNA FINANCIAL CORPORATION, COLUMBIA
CASUALTY COMPANY, and ZURICH AMERICAN
INSURANCE COMPANY,

Defendants.

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: **Dist. Ct. Case No.**
: **3:05-cv-213-MU**

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: Bankr. Ct. Adv. Pro. No.
: 04-3232

X

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: **Dist. Ct. Case No.**
: **3:05-cv-212-MU**

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: Bankr. Ct. Adv. Pro. No.
: 04-3231

X

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: **Dist. Ct. Case No.**
: **3:06-cv-312-GCM**

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: Bankr. Ct. Adv. Pro. No.
: 04-3231

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**RESTATED FINAL ORDER DIRECTING COURT REGISTRY INVESTMENT
SYSTEM ADMINISTRATOR TO WIRE FUNDS ON BEHALF OF THE CLERK OF
THE WESTERN DISTRICT OF NORTH CAROLINA**

THIS MATTER came to be heard on the Motion of Langdon M. Cooper, the Trustee in Bankruptcy (the "Trustee") for the Chapter 7 estates of RFS Ecusta Inc. and RFS US Inc. to approve a certain settlement among multiple parties (the "Settlement"). The Settlement was approved and this Court's Order approving the Settlement has become final. The funds disputed in this action (in excess of approximately \$29 million) were deposited in the registry of the Court and were, in turn, invested in the Court Registry Investment System ("CRIS"), which is administered by the Southern District of Texas. As conventional methods of disbursement would cause a significant loss of interest income, the CRIS Administrator in the Southern District of Texas is authorized to wire the funds directly to the accounts specified in this Order, all on behalf of the Clerk of Court of the Western District of North Carolina.

It is, therefore,

ORDERED, that the CRIS Administrator, on behalf of the Clerk of this Court, shall immediately cause all of the funds held in these cases, to be wire transferred and disbursed as follows:

- (1) The sum of \$7,750,000 shall be immediately wire transferred for the benefit of the bankruptcy estate pursuant to the following wire transfer instructions:

Bank Name: Bank of America
Dallas, Texas

ABA Routing No. 026009593

Name of Beneficiary: Estate of RFS Ecusta, Inc., P.O. Box 488, Gastonia, NC
28053

Credit Beneficiary Account No. 3756115453; and

- 10,000,000.*
- (2) The sum of \$10,000,000 shall be immediately wire transferred for the benefit of *SLH*

Melham US, Inc. pursuant to the following wire transfer instructions:

Bank Name: U.S. Bank N.A.
ABA Routing no: 091 000 022
BNF ITC South & East Depository Account
BNF Acct Address: 60 Livingston Ave
Saint Paul, MN 55107-2292
BNF Acct # 173103781832
OBI Trust Acct # 6728003016
OBI Trust Acct Name: MELHAM US, INC.; and

- (3) The entire balance remaining after the disbursements described above in (1) and (2) shall be immediately wire transferred for the benefit of Emglobal Services, Inc. pursuant to the following wire transfer instructions:

Bank: Wachovia Bank NA
ABA Routing No: 031201467
Swift code PNBPU33

Beneficiary:
Emglobal Services Inc
2656 Anthony ct
Easton PA 18045

Credit Beneficiary Acct number 2000012499241

It is further

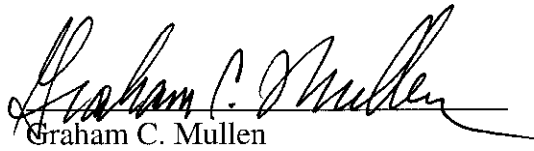
ORDERED that the Clerk or CRIS Administrator shall in the normal course of business cause a Year 2008 Internal Revenue Service Form 1099 to be transmitted to the bankruptcy Estate of RFS Ecusta, Inc., P.O. Box 488, Gastonia, NC 28053-0488 for all of the interest earned on these funds using the federal tax i. d. number provided by the Ecusta bankruptcy trustee to Beth Mitchell in the office of the Clerk; it is further

ORDERED that if any reason there is a delay in wiring the funds in the wire transfers described in (2) and (3) above, the CRIS Administrator shall not delay the immediate wire of the \$7,750,000 described in (1) above, and that wire of the \$7,750,000 shall be made immediately; and it is further

ORDERED that the Clerk is directed to cooperate with the bankruptcy trustee for the Debtor RFS Ecusta, Inc., Langdon M. Cooper, to expedite these transfers, which must be made as soon as possible this week; and it is further

ORDERED that this Order supersedes all previous disbursement orders dealing with the funds in these cases currently held by the CRIS Administrator.

March 25th 2008


Graham C. Mullen
United States District Judge